PATENT
Customer No. 22,852
Attorney Docket No. 9612.1028-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	)
Robert H. Halstead, Jr., et al.	) Group Art Unit: 2191
	)
Application No.: 09/759,697	) Examiner: Mary J. Steelman
	)
Filed: January 12, 2001	)
	)
For: System and Method Supporting	) Confirmation No.: 2648
Type Checking of Options	)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 C.F.R. § 1.132

I, Dr. David A. Kranz, do hereby declare:

1. I am a co-inventor of the claims pending in this application, serial no. 09/759,697.

2. In an Office Action mailed June 27, 2005 ("the Office Action"), the U.S. Patent and Trademark Office rejected claims 1-28 under 35 U.S.C. § 103(a) as being unpatentable over, among other references, M. Hostetter, D. Kranz, C. Seed, C. Terman, and S. Ward, "Curl: A Gentle Slope Language for the Web," MIT Laboratory for Computer Science, Spring 1997 ("the Article"), copy of which is attached as Exhibit A hereto.

3. I am the same D. Kranz identified as a co-author of the article entitled "Curl: A Gentle Slope Language for the Web," referenced in the preceding paragraph no. 2.

4. In the Office Action, the Examiner alleged that the Article teaches "during compilation, using the type description in the option data structure to process an operation on an option value in an instance of the class," as recited in claims 1 and 26 of Application No. 09/759,697. However, as a co-author of the Article, I hereby declare that the alleged limitation, as recited in claims 1 and 26 of Application No. 09/759,697, was not invented at the time the Article

was authored. Therefore, the Article does not teach "during compilation, using the type description in the option data structure to process an operation on an option value in an instance of the class," as recited in claims 1 and 26 of Application No. 09/759,697.

5. In the Office Action, the Examiner also alleged that the Article teaches "a compiler which, when processing an operation on an option value in an instance of the class, using the type description of the option value," as recited in claims 13 and 25 of Application No. 09/759,697. However, as a co-author of the Article, I hereby declare that the alleged limitation, as recited in claims 13 and 25 of Application No. 09/759,697, was not invented at the time the Article was authored. Therefore, the Article does not teach "a compiler which, when processing an operation on an option value in an instance of the class, using the type description of the option value," as recited in claims 13 and 25 of Application No. 09/759,697.

6. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 2/8/2006   By: _____

                            David A. Kranz